

MINUTE ENTRY

9:40 a.m.

UNITED STATES OF AMERICA -v- CRISANTO TICMAN BALOLONG

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding  
SANAE SHMULL, Court Reporter  
K. LYNN LEMIEUX, Courtroom Deputy  
TIMOTHY MORAN, Assistant U. S. Attorney  
G. ANTHONY LONG, Counsel for Defendant  
CRISANTO T. BALOLONG, Defendant

PROCEEDING: SENTENCING

Defendant was present with his court appointed counsel, Attorney G. Anthony Long. Government by Timothy Moran, AUSA. Also present was U.S. Probation Officer, Margarita Wonenberg.

No objection by the government of the presentence report. Counsel for defendant had no objections but they had a correction to an address. Court so noted.

Court adopted the presentence investigation report and the addendum and instructed the Clerk to file the report, under seal. and that the report and addendum be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Government recommended that the sentencing include at least 30 days of imprisonment and the remainder of the term of home confinement. Defense recommended that the defendant be sentenced to probation.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant CRISANTO TICMAN BALOLONG is hereby sentenced to three years probation. The term of probation will commence immediately and will require that the defendant comply with the following conditions:

1. That the defendant shall not commit another federal, state or local crime;
2. That the defendant shall not use or possess illegal controlled substances and shall submit to one urinalysis within 15 days of release from custody and, to two more urinalysis thereafter;
3. That the defendant shall not possess a firearm or other dangerous weapon;
4. That the defendant shall comply with the standard conditions of probation as set forth by the U. S. Sentencing Commission;
5. That the defendant shall avoid all contact, directly or indirectly, with the victims, Efren and Filomina Francisco;
6. That the defendant pay a \$500.00 fine; and
7. That this matter be referred to the CNMI and Federal Immigration for

investigation.

It was further ordered that the defendant pay to the United States a special assessment fee of \$100 to be paid immediately after sentencing.

No objection to the sentence by the Government; however, Defense did object to the matter of the condition that the defendant's case be referred to the CNMI Immigration. Defendant was advised that he had ten days in which to appeal his sentence. Further, the defendant was advised of his right to an attorney for appeal.

Defendant was ordered to meet with the Probation Officer immediately after this hearing and to proceed to the Clerk's Office to pay his assessment and fine.

Defense moved to have the defendant's passport released; there being no objection, Court so ordered.

Adjourned at 10:05 a.m.  
; [KLL EOD 01/21/2005]